

### **REMARKS**

The amendment to the specification on page 2 of the application serves only to correct an inadvertent typographical error. The correct U.S. Patent number was cited and submitted with Applicants PTO-1449 filed on November 12, 2003 with the application.

Support for the above amendments to Claims 1, 2, 10 and 11 by which the type of percent of NCO group content was further defined as being % by weight can be found in the specification on page 7, lines 15-18. Claims 1 and 10 were also amended to clarify that when the catalyst c)(2) one or more allophanate catalysts is used, c)(1) one or more trimer catalysts and/or c)(3) one or more allophanate-trimer catalyst systems is also used. Support for this amendment can be found in the present specification on page 17, line 29 through page 18, line 1. Applicants respectfully submit that no new matter has been added by these amendments.

Claims 1-18 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The basis for this rejection were (1) that it is unclear what is meant by "stable"; (2) the type of percent for the NCO group content was not specified; (3) it is unclear what constitutes the "desired" NCO group content; and (4) the claimed polyisocyanates are partially trimerized and allophanate-modified, but the claims do not require catalysts for both types of modifications to be present.

In view of the preceding amendment to Claims 1, 2, 10 and 11 in which the type of percent for the NCO group content was defined as % by weight, the second basis for this rejection is moot.

With regard to the issue of what is meant by "stable", Applicants' respectfully submit that it is readily apparent to one of ordinary skill in the art upon reading the present specification that the term "stable" as used in the claims refers to the liquid products as being storage-stable as defined in the present specification on page 13, lines 4-7. As set forth in the specification, the term "storage-stable" means that the partially trimerized, allophanate-modified product of the claims has up to a 1% absolute change in % NCO group content and up to a 10% change in the viscosity

when stored for 3 months at 25°C. It is respectfully submitted that, in light of the present specification which contains this detailed definition, and the information in the working examples which indicates that the prepared trimerized, allophanate-modified products were "cooled to 25°C for storage", one of ordinary skill in the art would readily know and understand the term "stable" refers to the storage-stability of the product, as measured by change in % NCO group content and by change in viscosity. Accordingly, Applicants submit that the term "stable" is definite as required by the second paragraph of 35 U.S.C. § 112.

The Examiner also indicated that it is unclear what constitutes "desired" NCO group content.

Applicants respectfully disagree. Of the claims presently being prosecuted, this language only appears in Claims 1 and 10. The only NCO group content in Claims 1 and 10 is that of the claimed stable liquid, allophanate-modified, partially trimerized diphenylmethane diisocyanate, which ranges from 15 to 30% by weight. The addition of the catalyst stopper to the product is "obviously" at a point when the NCO group content of the product is, as desired, between 15 and 30% by weight. It is readily apparent to one of ordinary skill in the art that the "desired" NCO group content of the product is from 15 to 30% by weight. Applicants respectfully submit that one of ordinary skill in the art would have no difficulty in knowing and/or understanding the meaning of the language "the desired NCO group content" as used in Claims 1 and 10. Accordingly, this rejection under 35 U.S.C. § 112, second paragraph on this basis is improper.

Finally, the Examiner indicated that it is unclear how the claimed polyisocyanates can be both partially trimerized and allophanate-modified since the claims do not require catalysts for both types of modifications (i.e. trimer and allophanate) to be present.

It is submitted that the amendment to Claims 1 and 10 now makes it apparent that an allophanate catalyst can not be used alone. Rather, when the catalyst is an allophanate catalyst, a trimer catalyst and/or an allophanate-trimer catalyst system is also present.

With respect to the trimer catalyst being used alone, Applicants respectfully submit that, as stated in the present specification on page 19, lines 4-18, most of the

known catalysts which are suitable trimer catalysts also result in allophanate formation. Thus, as discussed in the specification, even when only a trimer catalyst is used, both trimer and allophanate will be formed.

In view of the above amendments and remarks, Applicants respectfully submit that the second paragraph of 35 U.S.C. § 112, is fully satisfied by the present claims and claim language. The withdrawal of this rejection is respectfully requested.

Claims 1-18 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over the Slack et al references (U.S. Patent 5,955,609 or U.S. Patent 6,127,308) in view of the Scholl et al reference (U.S. Patent 5,124,370), and further in view of the Slack et al reference (U.S. Patents 5,663,272 or 6,887,399 or 6,991,746) or the Rosthauser et al reference (U.S. Patent 5,783,652) or the Markusch et al reference (U.S. Patent 6,482,913).

U.S. Patent 5,955,609 (Slack et al) and U.S. 6,127,308 disclose a trimer catalyst system for aliphatic and aromatic isocyanates. Applicants note that these two references are from the same patent family, i.e. the '308 patent is a divisional of the application which matured into the '609 patent. Thus, the disclosures of these patents are identical, but the claims are different. In light of the number of references cited by the Examiner, Applicants' comments will, for convenience, be directed to the '609 patent unless otherwise noted.

The trimer catalyst system of the '609 patent comprises (A) a compound selected from the group consisting of (i) lithium salts of aliphatic or aromatic monocarboxylic acids or dicarboxylic acids, (ii) lithium salts of hydroxyl group containing compounds which have from 1 to 3 hydroxyl groups per compound, in which the hydroxyl groups are attached directly to an aromatic ring, (iii) lithium hydroxide, and (iv) mixtures thereof; (B) at least one allophanate catalyst; and (C) at least one organic compound containing at least one hydroxyl group. This trimer catalyst system is broadly described as being suitable for trimerizing both aliphatic and aromatic isocyanates. There are three (3) examples present which illustrate MDI as the isocyanate. The remaining examples are directed to TDI or HDI. Of the three examples which use MDI, the MDI comprises 98% by weight of the 4,4'-isomer and 2% by weight of the 2,4'-isomer. See the description at column 7, lines 50-52.

U.S. Patent 5,124,370, the Scholl et al reference, discloses polyisocyanate mixtures of the diphenylmethane series which contain isocyanurate groups and a process for the preparation of these mixtures. Specifically, the liquid polyisocyanate mixtures which contain isocyanurate groups have a NCO group content of 15 to 30% by weight, and are obtained by partial trimerization of the isocyanate groups of polyisocyanate mixtures of the diphenylmethane series. These polyisocyanate mixtures contain from 80 to 100% by weight of MDI isomers and 0 to 20% by weight of polymeric MDI. The MDI isomers comprise from 40 to 80% by weight of the 4,4'-isomer, from 20 to 60% by weight of the 2,4'-isomer and 0 to 8% by weight of the 2,2'-isomer, with the sum of the %'s by weight adding up to 100% by weight. See column 1, line 64 through column 2, line 9. In an optional embodiment, a hydroxyl-functional component may be present during the trimerization. A catalyst poison is added to terminate the trimerization reaction. (See column 2, lines 29-32.)

Applicants respectfully submit that this combination of references does not render the presently claimed invention obvious to one of ordinary skill in the art.

The Slack et al reference discloses a trimer catalyst system for both aliphatic and aromatic isocyanates. As previously stated, this trimer catalyst system comprises (A) a compound selected from one of three specific groups of lithium compounds or lithium salts, (B) an allophanate catalyst, and (C) an organic compound which contains at least one hydroxyl group. Diphenylmethane diisocyanate is disclosed as one suitable diisocyanate therein (see column 7, lines 13, 24 and 33). When diphenylmethane diisocyanate is used in the examples of this reference, it consists of 98% by wt. of the 4,4'-isomer and 2% by wt. of the 2,4'-isomer (column 7, lines 50-52). This MDI was used in Examples 10, 14 and 15.

In the broadest sense, the Scholl et al reference discloses that liquid products which contain isocyanurate groups can be prepared from a polyisocyanate mixture containing 80 to 100% by wt. of monomer and 0 to 20% by wt. of polymeric MDI. The monomer consists of 40 to 80% by wt. of the 4,4'-isomer, 20 to 60% by wt. of the 2,4'-isomer and 0 to 8% by wt. of the 2,2'-isomer. (See column 2, lines 18-27.) Thus, overall these mixtures can contain from 0 to 20% by wt. of polymeric MDI, from 32 to 80% by wt. of the 4,4'-isomer of MDI, from 16 to 60% by wt. of the 2,4'-isomer of MDI and from 0 to 8% by wt. of the 2,2'-isomer of MDI. There are three specific examples

of different MDI isomer mixtures in the Scholl et al reference. See column 4, line 65 through column 5, line 12. The first mixture (Isocyanate 1) comprises 56% of the 4,4'-isomer, 29% of the 2,4'-isomer, 5% of the 2,2'-isomer and 10% of polymeric MDI; the second mixture (Isocyanate 2) comprises 46-47% of the 4,4'-isomer, 52-53% of the 2,4'-isomer and less than 1% of the 2,2'-isomer; and the third mixture (Isocyanate 3) comprises 59% of the 4,4'-isomer, 23% of the 2,4'-isomer 3% of the 2,2'-isomer and 15% of polymeric MDI.

The Examiner's position appears to be that it would be "obvious" to one of ordinary skill in the art to combine the MDI mixtures of the Scholl et al reference with the process and catalyst system of the Slack et al reference (either the '609 reference or the '308 reference) to "arrive at" the presently claimed invention. Applicants respectfully disagree.

First, Applicants direct the Examiner's attention to the fact that the presently claimed invention requires an isomeric mixture of MDI that comprises (i) from 10 to 40% by wt. of the 2,4'-isomer, (ii) from 0 to 6% by wt. of the 2,2'-isomer and (iii) from 54 to 90% by wt. of the 4,4'-isomer. It is readily apparent that the MDI isomer mixture used in the examples of the Slack et al reference does not overlap with that required by the present claims. In the Scholl et al reference, none of the three isocyanate mixtures used in the examples overlap with that required by the present claims. Two of these mixtures contain polymeric MDI. The other mixture, Isocyanate mixture 2 (see column 5, line 1-6) in the Scholl et al reference is the only one that could be used to prepare a partially trimerized diphenylmethane diisocyanate which is a stable liquid as defined in the present invention! This product would not contain allophanate groups as a hydroxyl group containing material is not disclosed by this reference. Also, Isocyanate mixture 2 of this reference which comprises 46-47% of the 2,4'-isomer and 52-53% of the 4,4'-isomer clearly does not overlap with the isomer distribution required by Applicants' invention.

In addition, as shown in Examples 18 and 19 of the present application (page 33, lines 5-17), turbid products which contain solids are formed by partially trimerizing isocyanate mixtures that contain 27% or 37% of the 2,4'-isomer of MDI. Only trimer was formed in these two examples since no compound containing a hydroxyl group was present.

Example 18 of the present application prepared a partially trimerized MDI as in the Scholl et al reference, from a mixture of 100 pbw of MDI-1 (i.e. 98.4% of 4,4'-MDI and 1.6% of 2,4'-MDI) and 100 pbw of MDI-2 (i.e. 45.8% of 4,4'-MDI, 52.8% of 2,4'-MDI and 1.4% of 2,2'-MDI). Thus, the mixture in Example 18 contained about 72% of 4,4'-MDI, 27% of 2,4'-MDI and about 1% of 2,2'-MDI. The partially trimerized MDI prepared from this mixture in Example 18 was turbid with about 15% solids.

Example 19 of the present application prepared a partially trimerized MDI as in the Scholl et al reference, from a mixture of 60 pbw of MDI-1 and 140 pbw of MDI-2. Thus, the mixture in Example 19 contained about 61.5% of the 4,4'-isomer, about 37.5% of the 2,4'-isomer and less than 1% of the 2,2'-isomer. The partially trimerized MDI prepared from this mixture of Example 19 was turbid with 10% solids.

Applicants respectfully submit that it is apparent from these two examples that a partially trimerized MDI will not be a stable liquid product as defined by the present invention and required by the present claims, when using less than about 38% of the 2,4'-isomer of MDI in the starting MDI mixture. Thus, one of ordinary skill in the art could not possibly expect that an MDI mixture comprising 10 to 40% by wt. of the 2,4'-isomer, 0 to 6% by wt. of the 2,2'-isomer and 54 to 90% of the 4,4'-isomer could form a stable liquid, allophanate-modified, partially trimerized diphenylmethane diisocyanate as required by the present claims. Although the products of the Scholl et al reference may be "liquids", they are not stable liquids as defined by the present invention. Examples 18 and 19 of the present application clearly support Applicants position as these two examples show that trimerized MDI products with this range of 2,4'-isomer content are turbid with solids.

The other working examples of the present application that are illustrative of Claims 1-18, clearly show that allophanate-modified, partially trimerized MDI products which are stable liquids can be formed from MDI isomer mixtures which contain from about 10 to about 40% by wt. of the 2,4'-isomer. Specifically, Example 3 contains about 12% by weight of the 2,4'-isomer and about 88% by weight of the 4,4'-isomer. In addition, Examples 5 and 10-17 contain about 37.5% of the 2,4'-isomer, about 1% of the 2,2'-isomer and about 61.5% of the 4,4'-isomer. The blended product formed in Example 20 contains a similar isomer distribution as Examples 5 and 10-17. As supported by Examples 18 and 19 of the present

application, partially trimerized MDI has to contain greater than about 38% of the 2,4'-isomer to form a stable liquid product. Applicants respectfully submit that one of ordinary skill in the art has no insight into what isomer distribution is suitable for forming stable liquid allophanate-modified, partially trimerized MDI from this combination of references. Only after reading the present specification does this become "obvious".

In addition, the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308) are silent with regard to whether the partially trimerized diphenylmethane diisocyanates therein are stable liquids as defined in the present application. However, as shown in Examples 18 and 19 of the present application, a stable liquid trimer of MDI can not be prepared using less than about 38% by weight of the 2,4'-isomer of MDI.

Therefore, one of ordinary skill in the art upon reading the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308) in view of the Scholl et al reference, could not reasonably predict or expect that stable liquid products containing both allophanate groups and trimer groups could be formed from diphenylmethane diisocyanate that comprises (i) from 10 to 35% by weight of the 2,4'-isomer, (ii) from 0 to 2% by weight of the 2,2'-isomer and (iii) from 63 to 90% by weight of the 4,4'-isomer. The skilled artisan has no insight into the presently claimed compositions from any of these references alone or in combination with each other. In fact, the Scholl et al reference would lead the skilled artisan to believe that compositions within the scope of the present invention would not be stable liquids as defined in the present application. Accordingly, this combination of references does not fairly suggest the presently claimed invention to one of ordinary skill in the art.

It is further submitted by Applicants that additionally combining the Slack et al reference (U.S. 5,663,272) does not render the presently claimed invention obvious to one of ordinary skill in the art.

U.S. Patent 5,663,272 describes allophanate-modified diphenylmethane diisocyanates and a process for their production. These allophanate-modified diisocyanates are also described as being storage stable liquids at 25°C. The allophanate-modified diphenylmethane diisocyanates of the '272 patent are prepared by reacting a monoisocyanate with an organic compound having at least two hydroxyl groups and a molecular weight of from about 60 to about 60000, and then

reacting this reaction product with a specified isomer composition of diphenylmethane diisocyanate to form the liquid allophanate-modified MDI having an NCO group content of 12 to 30% by weight. See column 2, lines 50-59. The specific isomer of diphenylmethane diisocyanate contains from 0 to 60% by weight of the 2,4'-isomer of MDI, less than 6% by weight of the 2,2'-isomer of MDI, with the balance being the 4,4'-isomer. See column 2, lines 59-63.) These liquid allophanate-modified MDIs may be further reacted with an organic material containing two or more hydroxyl or amino groups, a low MW diol, or a combination thereof to form a prepolymer. (See column 2, line 64 through column 3, line 2.)

Applicants respectfully submit that combining the '272 patent with either of the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308) and the Scholl et al reference (U.S. 5,124,370) does not suggest the presently claimed invention to one of ordinary skill in the art. Rather, this reference would lead the skilled artisan to first react a monoisocyanate (such as phenyl isocyanate) with an organic compound to form a urethane, and to react this urethane with MDI having an isomeric distribution as described therein (i.e. 0 to 60% of the 2,4'-isomer, less than 6% of the 2,2'-isomer and the balance being the 4,4'-isomer) or as in the Scholl et al reference (U.S. 5,124,370). As set forth above, the closest MDI described by the Scholl et al reference comprises 46-47% of the 4,4'-isomer, 52-53% of the 2,4'-isomer and less than 1% of the 2,2'-isomer (see Isocyanate 2 therein). It is readily apparent that the "invention" which results from this combination of references is not the presently claimed invention. Therefore, the presently claimed invention is not properly rejected as being obvious over this combination of references.

The other two Slack et al references (U.S. Patent 6,887,399 and U.S. Patent 6,991,746) belong to the same patent family. The '746 patent is a divisional of the '399 patent. Thus, these two patents have the same disclosure but different claims. All of Applicants' comments will be directed to the '399 patent unless otherwise noted.

The Slack et al reference ('399) relates to polymeric allophanates of diphenylmethane diisocyanate, prepolymers of these polymeric allophanates, and processes for the preparation of these products. These are higher functionality allophanate products. It is respectfully submitted by Applicants that the '399 patent



does not provide one of ordinary skill in the art any insight into the presently claimed invention when considered in view of the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308) and the Scholl et al reference (U.S. 5,124,370).

The polymeric allophanates of the '399 patent are prepared from allophanate-modified diphenylmethane diisocyanate which comprises the reaction product of at least one OH group containing compound, and diphenylmethane diisocyanate which contains from 0 to 60% by weight of the 2,4'-isomer, less than 6% of the 2,2'-isomer and the balance (i.e. 34 to 100%) being the 4,4'-isomer, in which the allophanate modified MDI is held at a temperature of 20 to 70°C for a time ranging from 1 hour to 30 days, thus forming the polymeric allophanate modified MDI. A catalyst stopper is added once the polymeric allophanate modified MDI is formed.

It is respectfully submitted that combining the '399 patent with the primary Slack et al references and the secondary Scholl et al reference does not fairly suggest the presently claimed invention to one of ordinary skill in the art. This combination of references would, at best, lead the skilled artisan to make a polymeric allophanate, partially trimerized product from diphenylmethane diisocyanate using the specified isomer distribution in the '399 patent. This isomer distribution of MDI is also broad compared to that required by the presently claimed invention. By comparison, the presently claimed invention is not a polymeric allophanate, partially trimerized product.

In addition, the ranges of 2,4'-isomer and 4,4'-isomer which are disclosed as being suitable in the '399 patent are overly broad as compared to those that actually work and/or are claimed in the present invention. Thus, even if one assumes that only the isomer distribution from the '399 patent is taken and combined with the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308) and the Scholl et al reference (U.S. 5,124,370), these overly broad ranges of isomers do not necessarily result in a stable liquid allophanate-modified, partially trimerized diphenylmethane diisocyanate as claimed in the present application. Only after reading the present specification does the presently required isomer distribution for MDI become "obvious" to one of ordinary skill in the art. Such a perspective does not, however, provide a proper basis for a rejection under 35 U.S.C. § 103(a). Accordingly,

combining the '399 patent or the '746 patent with the previously cited references simply does not suggest the presently claimed invention to one skilled in the art.

The Rosthauser et al reference (U.S. Patent 5,783,652) is directed to reactivity improvement of urethane prepolymers of allophanate-modified diphenylmethane diisocyanates. The addition of epoxide was found to increase the reactivity of these prepolymers. Specifically, the invention of the '652 patent is a mixture of A) 90 to 99.5% of a stable, liquid prepolymer of an allophanate-modified MDI, and B) 0.5 to 10% by weight of at least one epoxide having an epoxide equivalent weight of 44 to 400. The allophanate-modified MDI is prepared from an isomeric mixture of MDI comprising (i) 0 to 60% by wt. of the 2,4'-isomer, (ii) less than 6% by wt. of the 2,2'-isomer and (iii) the balance (i.e. 34 to 100%) being the 4,4'-isomer.

The isomer distribution required by the Rosthauser et al reference is the same as that required by the Slack et al references (U.S. Patent 6,887,399 and U.S. Patent 6,991,746) discussed above.

Combining the Rosthauser et al reference with the primary and secondary references, one skilled in the art would make a prepolymer of the allophanate-modified diphenylmethane diisocyanate as described therein with the catalyst of the Slack et al references, and add an epoxide. Incorporating the trimer catalyst of the Scholl et al reference into this also does not result in the presently claimed invention. It is readily apparent that this is not the presently claimed invention.

Nor would one arrive at the present invention by using only the isomer distribution from the Rosthauser et al reference with the trimer catalyst of the Scholl et al reference and the catalyst system of the Slack et al references ('609 and/or '308). As discussed above with respect to the Slack et al references (U.S. Patent 6,887,399 and U.S. Patent 6,991,746), this isomer distribution for making the allophanate-modified MDI is overly broad for forming stable liquid products in accordance with the present claims. Only after reading the present specification does it become "obvious" what MDI isomer distribution to select. Such a perspective does not, however, provide a proper basis for rejecting the presently claimed invention as being obvious under 35 U.S.C. § 103(a). Accordingly, combining the Rosthauser et al reference with the previously discussed primary and secondary

references does not properly render the presently claimed invention obvious to one skilled in the art.

Finally, it is respectfully submitted that combining the Markusch et al reference (U.S. Patent 6,482,913) with the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308) and the Scholl et al reference (U.S. 5,124,370) also does not fairly suggest the presently claimed invention to one of ordinary skill in the art.

The liquid MDI adducts of the Markusch et al reference are described as being freeze stable. These liquid isocyanate compositions comprise (A) an allophanate-modified MDI having an NCO group content of 16 to 30%, (B) a low molecular weight branched aliphatic dihydroxyl compound and (C) an epoxide functional compound. The allophanate-modified MDI (A) is the reaction product of (1) diphenylmethane diisocyanate having an isomer distribution of 0 to 20% by weight of the 2,4'-isomer, 0 to 2% by weight of the 2,2'-isomer and the balance (i.e. 78 to 100% by weight) being the 4,4'-isomer, with (2) an aliphatic alcohol. See column 4, lines 3-10 and lines 22-28. These are further reacted with (B) a low MW branched aliphatic dihydroxy compound and (C) an epoxide. Thus, it is apparent that the Markusch et al reference is actually directed to prepolymers of allophanate-modified MDI.

The present invention is clearly directed to stable liquid, allophanate-modified, partially trimerized diphenylmethane diisocyanate, not to prepolymers of allophanate-modified MDI. It is respectfully submitted that combining the Markusch et al reference with the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308) and the Scholl et al reference (U.S. 5,124,370) does not clearly suggest the presently claimed invention to one of ordinary skill in the art. This combination of references would lead the skilled artisan to prepare prepolymers as in the Markusch et al reference, which contain an epoxide, with the isomer distribution therein, the trimer catalyst from the Scholl et al reference (U.S. 5,124,370), and the catalyst system of the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308). This is not the presently claimed invention.

Even based on the assumption that one of ordinary skill in the art only relied on the Markusch et al reference for the MDI isomer distribution to form the allophanate-modified MDI therein, combining this isomer distribution with the catalyst

system of the Slack et al references ('609 or '308) and the Scholl et al reference, does not result in Applicants' invention. The isomer distribution required by the Markusch et al reference does not clearly correspond to that of the present claims. Thus, the products formed from this substitution would not necessarily be stable liquids as required by the present invention. It is therefore respectfully submitted that one of ordinary skill in the art has no insight into the presently claimed invention upon combining the Markusch et al reference with the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308) and the Scholl et al reference (U.S. 5,124,370).

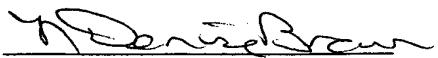
Although the isomer distribution of the Markusch et al reference is not as broad as some of the references discussed previously, it does not provide one of ordinary skill in the art any insight into the isomer distribution required by the present invention. Rather, it only suggests a different range of isomers to "try". Applicants respectfully submit that the Examiner is clearly applying an "obvious to try" standard of patentability which is not the proper standard. This rejection is clearly improper and Applicants request that it be withdrawn.

It is respectfully submitted that the presently claimed invention is not fairly suggested to one of ordinary skill in the art from the combination of the Slack et al references (U.S. 5,955,609 or U.S. 6,127,308) and the Scholl et al reference (U.S. 5,124,370), and optionally, further in view of the Slack et al references (U.S. Patent 5,663,272, U.S. Patent 6,887,399 and U.S. Patent 6,991,746), the Rosthauser et al reference (U.S. Patent 5,783,652), or the Markusch et al reference (U.S. Patent 6,482,913). Only after reading the present invention does the presently claimed invention become "obvious" to one of ordinary skill in the art. Such a perspective does not provide a proper basis for a rejection of the present claims under 35 U.S.C. 103(a).

Applicants therefore submit that each of these rejections are improper and request that these be withdrawn.

It is respectfully requested that the present application be reconsidered in view of the preceding amendments and remarks. The allowance of Claims 1-18 is respectfully requested.

Respectfully Submitted,

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